



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Eighth Regular Session

10:15 A.M.

THURSDAY, February 22, 2007

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative J. Ott in the chair.

The Assembly dispensed with the call of the roll.

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### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 06-057

Relating to land surveyor education and experience requirements.

Submitted by Department of Regulation and Licensing.

Report received from Agency, February 13, 2007.

To committee on **Small Business**.

Referred on February 22, 2007.

#### Assembly Clearinghouse Rule 06-112

Relating to a renewable resource credit tracking program.

Submitted by Public Service Commission.

Report received from Agency, February 9, 2007.

To committee on **Energy and Utilities**.

Referred on February 22, 2007.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Joint Resolution 19

Relating to: declaring March 25 to 31, 2007, as Veterans of Foreign Wars National Home for Children Awareness Week.

By Representatives Hubler, Boyle, Sinicki, Turner, Musser, Albers, Pope-Roberts, Jeskewitz, Montgomery, Hines, Nass, Hahn, Berceau, Nygren, Townsend, Sheridan, Petrowski, Seidel, Gunderson and M. Williams; cosponsored by Senators Breske, Lassa, Roessler, Darling, Risser, S. Fitzgerald, Wirsch, Kreitlow, Coggs, Sullivan and Plale.

To committee on **Rules**.

#### Assembly Joint Resolution 20

Relating to: declaring March 2007 American Red Cross Month.

By Representatives Ballweg, Albers, Benedict, Berceau, Bies, Boyle, Gunderson, Hahn, Hintz, Kerkman, Lothian, A. Ott, Owens, Pope-Roberts, Seidel, Sheridan, Sinicki, Soletski, Townsend, Van Roy, Wasserman and M. Williams; cosponsored by Senators Wirsch, Carpenter, Cowles, Erpenbach, Grothman, Hansen, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser and Roessler.

To committee on **Rules**.

#### Assembly Joint Resolution 21

Relating to: the life and service of Sergeant Luke J. Zimmerman of the United States Marine Corps, who lost his life during Operation Enduring Freedom.

By Representative Bies; cosponsored by Senator A. Lasee.

To committee on **Rules**.

#### Assembly Bill 81

Relating to: building a certain vehicle weighing station in Rock County, building a certain interchange in Rock County, and creating a vehicle weighing station surcharge for size and weight violations detected at a certain vehicle weighing station in Rock County to provide funds to the town of La Prairie.

By Representatives Benedict, Sheridan and Hixson; cosponsored by Senator Robson, by request of the people of the Town of LaPrairie.

To committee on **Transportation**.

#### Assembly Bill 82

Relating to: recall of elective town sanitary district commissioners.

By Representatives Hubler and Ziegelbauer; cosponsored by Senator Jauch, by request of Ron Helstern of Barronett, Wisconsin.

To committee on **Elections and Constitutional Law**.

#### Assembly Bill 83

Relating to: creating an agricultural education and workforce development council and making an appropriation.

By Representatives A. Ott, Gronemus, Davis, Vruwink, Hines, Fields, Hahn, Petrowski, Townsend, Murtha, M. Williams, Albers, Sheridan, Nygren, Molepske, Jorgensen, Lothian, Hixson, Mursau, Ballweg, Nerison, Musser, Seidel, Friske, Strachota, Hubler, Garthwaite and Steinbrink; cosponsored by Senators Vinehout, Olsen, Lehman, Darling, Hansen, Harsdorf, Lassa, Kapanke, Plale, A. Lasee, Erpenbach, Roessler, Breske and Jauch.

To committee on **Education**.

#### **Assembly Bill 84**

Relating to: disclosing drafts of drafting requests that did not result in legislation.

By Representatives Molepske, Hahn and Zepnick.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 85**

Relating to: creating an income and franchise tax credit for motor vehicles that use gasoline and ethanol mixtures as fuel.

By Representatives Sheridan, Hahn, Jorgensen, Albers, Ballweg, Berceau, Bies, Gronemus, Gunderson, Hebl, Hines, Hixson, Lothian, Molepske, Musser, A. Ott, Owens, Petrowski, Seidel, Turner, Vruwink, Wood and Davis; cosponsored by Senators Wirch, Vinehout and Schultz.

To committee on **Biofuels and Sustainable Energy**.

#### **Assembly Bill 86**

Relating to: ballast water management, making an appropriation, and providing a penalty.

By Representatives Molepske, Bies, Cullen, Hahn, Hilgenberg, Hintz, Kreuser, Pocan, Sheridan, Sinicki, Soletski, Townsend, Turner, Wasserman, Zepnick, Richards, Vos, M. Williams, Mason, Steinbrink, Black, Schneider, Hraychuck, Hebl and J. Ott; cosponsored by Senators Wirch, Schultz, Hansen, Roessler, Lassa, Plale, Risser and Coggs.

To committee on **Natural Resources**.

#### **Assembly Bill 87**

Relating to: modifying the definition of income under the homestead tax credit.

By Representatives Nelson, Pocan, Staskunas, Seidel, Berceau, Sheridan, Hintz, Kleefisch, Sinicki, Hilgenberg, Molepske and Kramer; cosponsored by Senators Coggs, Schultz, Sullivan, Grothman, Lassa and Leibham.

To committee on **Ways and Means**.

#### **Assembly Bill 88**

Relating to: special distinguishing registration plates associated with first responders.

By Representatives M. Williams, Davis, Albers, Ballweg, Gronemus, Hahn, Kerkman, Kleefisch, Mursau, A. Ott, Sheridan and Travis; cosponsored by Senators Lassa, Grothman, Olsen, Roessler and Schultz.

To committee on **Homeland Security and State Preparedness**.

#### **Assembly Bill 89**

Relating to: operating an aircraft recklessly or under the influence of an intoxicant and providing a penalty and granting rule-making authority.

By Representatives Mursau, Krusick, Berceau, Hines, Kerkman, Molepske, A. Ott, J. Ott, Pocan, Sinicki, Stone, Townsend, Zepnick and Gunderson; cosponsored by Senators Plale, Coggs, Lassa, Olsen, Risser, Roessler, Schultz and Wirch.

To committee on **Criminal Justice**.

#### **Assembly Bill 90**

Relating to: a loan program for medical students who agree to practice medicine in health professional shortage

areas, requiring the exercise of rule-making authority, and making an appropriation.

By Representatives Mursau, Wasserman, Benedict, Gronemus, Hines, Hintz, Meyer, Montgomery, Nerison, A. Ott, Owens, Sinicki, Suder, Townsend, M. Williams and Davis; cosponsored by Senators Lassa, Breske, Carpenter, Hansen, Olsen, Roessler, Schultz and Sullivan.

To committee on **Public Health**.

#### **Assembly Bill 91**

Relating to: voting by the members of the conservation congress.

By Representatives Mursau, Ballweg, Gottlieb, Hahn, LeMahieu, Lothian, Musser, Nerison, J. Ott, Owens, Petrowski, Townsend, Gunderson and Hraychuck; cosponsored by Senators Breske, Grothman and Schultz.

To committee on **Natural Resources**.

#### **Assembly Bill 92**

Relating to: battery occurring during a riot and providing a penalty.

By Representatives Albers, Owens, Musser, Mursau, Kleefisch, Gunderson, Lothian and A. Ott; cosponsored by Senator Schultz.

To committee on **Corrections and Courts**.

#### **Assembly Bill 93**

Relating to: reporting and review requirements for certain grant proposals for the acquisition of development rights in land.

By Representatives Albers, M. Williams, Musser, Gunderson, Hahn, Roth, LeMahieu, Owens, Mursau and Petrowski; cosponsored by Senator Schultz.

To committee on **Property Rights**.

#### **Assembly Bill 94**

Relating to: establishing a publicly financed health care system for residents of this state, creating the Department of Health Planning and Finance, Health Policy Board, and regional consumer health councils, granting rule-making authority, and making appropriations.

By Representatives Benedict, Boyle, Black, Hebl, Parisi, Pocan, Pope-Roberts, A. Williams, Zepnick, Hilgenberg, Berceau, Sinicki, Fields, Grigsby and Kessler; cosponsored by Senators Miller, Risser and Carpenter.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 95**

Relating to: a real estate transfer fee exemption for transfers between siblings.

By Representatives Hebl, Travis, Musser, Hahn, Turner, Albers, F. Lasee, Kreuser, Kleefisch and Gunderson; cosponsored by Senator Lassa.

To committee on **Housing**.

#### **Assembly Bill 96**

Relating to: the possession, release, control, storage, sale, and transportation of fish of an invasive fish species and requiring the exercise of rule-making authority.

By Representatives Schneider, Petrowski, Mursau, Hahn, Benedict, Turner, Van Roy, A. Ott, Kleefisch, Sheridan,

Hilgenberg, J. Ott and Sinicki; cosponsored by Senators Lassa, Risser, Wirch, Plale and Schultz.

To committee on **Natural Resources**.

#### **Assembly Bill 97**

Relating to: eligibility for tuition fee remission for family members of certain veterans.

By Representatives Schneider, Boyle, Kleefisch, Turner, Albers, Hahn, Gunderson and Bies; cosponsored by Senator Lassa.

To committee on **Veterans and Military Affairs**.

#### **Assembly Bill 98**

Relating to: contracts for commercial mobile telephone service.

By Representatives Schneider, Albers, A. Williams and Sinicki.

To committee on **Energy and Utilities**.

#### **Assembly Bill 99**

Relating to: granting a high school diploma to a foreign exchange student.

By Representatives Schneider, Ballweg, Albers, Musser and Gunderson; cosponsored by Senator Lehman.

To committee on **Education**.

#### **Assembly Bill 100**

Relating to: the requirement that motor vehicles be equipped with safety glass.

By Representatives Schneider, Albers, Petrowski and A. Williams.

To committee on **Transportation**.

#### **Assembly Bill 101**

Relating to: making companies that hire illegal aliens ineligible for certain tax exemptions, governmental contracts, grants, and loans, granting rule-making authority, and providing penalties.

By Representatives Schneider, Vruwink, F. Lasee, Albers and Gunderson; cosponsored by Senator Leibham.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 102**

Relating to: prohibiting use of social security numbers on state civil service examinations, prohibiting requests by merchants for customers' social security numbers, posting certain personal information in government records on the Internet, prohibiting access to certain public records and employer records containing the social security numbers of individuals, prohibiting a register of deeds from recording certain instruments that contain more than a partial social security number, prohibiting the number of credit inquiries as a factor in credit reports, granting rule-making authority, and providing penalties.

By Representatives Schneider, Gunderson, Musser, Vruwink, Berceau, Sinicki, Parisi, Turner, Hilgenberg, Black, A. Williams, Molepske and Bies; cosponsored by Senator Roessler.

To committee on **Consumer Protection and Personal Privacy**.

#### **Assembly Bill 103**

Relating to: requiring an additional credit in mathematics and in science for a high school diploma.

By Representatives Davis, Strachota, Gottlieb, Hines, Honadel, Kerkman, F. Lasee, Moulton, Nass, Nygren, A. Ott, Pridemore, Rhoades, Suder, Townsend, Vos and Wasserman; cosponsored by Senators Olsen, Harsdorf, Roessler and Schultz.

To committee on **Education**.

#### **Assembly Bill 104**

Relating to: permitting a mother to breast-feed in any public or private location where she is otherwise authorized to be.

By Representatives Wasserman, Pocan, Black, F. Lasee, Pope-Roberts, Boyle, Hines, Berceau, Albers, Hahn, Bies, Townsend, Molepske, Owens, Sheridan, A. Ott, Hilgenberg, Parisi, Musser and Mason; cosponsored by Senators Risser, Lassa, Erpenbach, Lehman, Plale, Roessler, Miller, Schultz, Darling and Sullivan.

To committee on **Health and Healthcare Reform**.

#### **Assembly Bill 105**

Relating to: telephone company inquiry services by state agencies, authorities, and vendors.

By Representative Schneider.

To committee on **State Affairs**.

#### **Assembly Bill 106**

Relating to: designating and marking a bridge on STH 156 in the town of Navarino as the Avery Wilber Memorial Bridge.

By Representatives Tauchen, Owens, Van Roy, Townsend, M. Williams and Albers; cosponsored by Senators Cowles, Breske, Lassa and Grothman.

To committee on **Transportation**.

#### **Assembly Bill 107**

Relating to: creating a nonrefundable individual income tax credit for certain medical care insurance policy premiums.

By Representatives Hahn, Murtha, Huebsch, Albers, Bies, Kerkman, F. Lasee, LeMahieu, Meyer, Musser, Nass, A. Ott, Owens, Petrowski, Stone, Townsend, Vos, Wood, Ziegelbauer, Zipperer, Rhoades, Davis and Kaufert; cosponsored by Senators Leibham, Roessler and Darling.

To committee on **Insurance**.

#### **Assembly Bill 108**

Relating to: free access to state parks and state trails by certain disabled veterans and former prisoners of war.

By Representatives Musser, Townsend, Petrowski, Bies, Turner, Hubler, M. Williams, Owens, Hahn, LeMahieu, Hines, Lothian, Kleefisch, Albers, Gundrum, Gunderson, Sinicki, Steinbrink, Seidel, Cullen, Nerison, Hraychuck, Gronemus, Boyle, Hebl, Berceau and Sheridan; cosponsored by Senators Lehman, Coggs, Roessler, Schultz, Miller, Risser, Lassa, Erpenbach, Kreitlow, Breske, Plale and Kedzie.

To committee on **Tourism, Recreation and State Properties**.

### **Assembly Bill 109**

Relating to: creating a nonrefundable individual income tax credit for certain amounts of mileage reimbursement received by volunteer drivers.

By Representatives Owens, Albers, Gunderson, Jeskewitz, Kerkman, A. Ott, Petrowski, Townsend and Wasserman; cosponsored by Senators Roessler, Schultz, Lassa, Erpenbach and Sullivan.

To committee on **Ways and Means**.

### **Assembly Bill 110**

Relating to: collective bargaining over health care coverage for municipal employees, allowing municipal employers to change health care coverage plan providers, and requiring the exercise of rule-making authority.

By Representatives Vukmir, Nygren, Pridemore, Jeskewitz, Zipperer, Gottlieb, Hahn, F. Lasee, Vos, Townsend, Honadel, Kramer, Mursau, Albers, Wood, Gunderson, Roth and LeMahieu; cosponsored by Senators Darling, Kanavas, Grothman, Harsdorf and Leibham.

To committee on **Labor and Industry**.

### **Assembly Bill 111**

Relating to: income and franchise tax credits for information technology equipment used to maintain medical records in electronic form and for interest on bonds or notes issued by the Wisconsin Health and Educational Facilities Authority for purposes related to the purchase of information technology equipment by health facilities, and granting rule-making authority.

By Representatives Moulton, Davis, Vukmir, Albers, Ballweg, Gronemus, Gunderson, Hahn, Hines, Kramer, Mursau, Murtha, Nygren, A. Ott, J. Ott, Owens, Petersen, Strachota, Suder, Townsend, Vos, M. Williams and Wood; cosponsored by Senators Roessler, Darling, Schultz, Olsen, Leibham and Kanavas.

To committee on **Health and Healthcare Reform**.

### **Assembly Bill 112**

Relating to: exempting school districts from the motor vehicle fuel tax.

By Representatives Bies, Ballweg, Staskunas, Albers, Boyle, Gronemus, Gunderson, Kleefisch, Lothian, Mursau, Musser, Nass, Nygren, A. Ott, Owens, Petrowski, Townsend and Van Roy; cosponsored by Senators A. Lasee, Carpenter, Lehman, Olsen, Plale and Roessler.

To committee on **Transportation**.

### **Assembly Bill 113**

Relating to: enforcement of motor vehicle safety belt violations and providing a penalty.

By Representatives Bies, Sinicki, Gottlieb, Hines, Hraychuck, A. Ott, Steinbrink, Stone and Townsend; cosponsored by Senator Risser.

To committee on **Transportation**.

### **Assembly Bill 114**

Relating to: changing the requirements under which a landowner may withdraw property from a drainage district.

By Representatives Albers, Molepske, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators S. Fitzgerald, Lassa, Olsen and Schultz.

To committee on **Agriculture**.

### **Assembly Bill 115**

Relating to: requiring a seller of real property located in a drainage district to disclose the location of the property within a drainage district.

By Representatives Albers, Molepske, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators S. Fitzgerald, Lassa, Olsen and Schultz.

To committee on **Agriculture**.

### **Assembly Bill 116**

Relating to: increasing the public contract minimum bid requirements for drainage districts.

By Representatives Molepske, Albers, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators Lassa, S. Fitzgerald, Olsen and Schultz.

To committee on **Agriculture**.

### **Assembly Bill 117**

Relating to: requiring certain approvals for the construction, enlargement, or modification of a dam that affects the water level of a drain.

By Representatives Albers, Molepske, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators S. Fitzgerald, Lassa and Olsen.

To committee on **Agriculture**.

### **Assembly Bill 118**

Relating to: requiring local governmental units to consider relationships with drainage districts in the preparation of comprehensive plans, requiring local governments to provide notice to drainage districts regarding proposals that affect drainage districts, and requiring sellers of real property to disclose the location of property within drainage districts.

By Representatives Molepske, Albers, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators Lassa, S. Fitzgerald, Olsen and Schultz.

To committee on **Agriculture**.

### **Assembly Bill 119**

Relating to: authorizing a drainage district to impose setback distances or no-build zones related to drain maintenance.

By Representatives Albers, Molepske, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators S. Fitzgerald, Lassa, Olsen and Schultz.

To committee on **Agriculture**.

### **Assembly Bill 120**

Relating to: requiring local governmental units to consider relationships with a drainage district in the preparation of comprehensive plans and requiring sellers of real property to disclose proximity of property to military bases and location within drainage districts.

By Representatives Molepske, Albers, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators Lassa, S. Fitzgerald, Olsen and Schultz.

To committee on **Agriculture**.

### Assembly Bill 121

Relating to: evidence of lay and expert witnesses.

February 19, 2007

By Representatives Suder, Pridemore, Jeskewitz, A. Ott, Vukmir, Nass, Ballweg, Mursau, Townsend, Kramer, Albers, LeMahieu, F. Lasee, Musser and Gunderson; cosponsored by Senators Kanavas, Roessler, Leibham and Schultz.

To committee on **Corrections and Courts**.

### Assembly Bill 122

Relating to: the provision of taste samples of fermented malt beverages and wine on certain retail premises.

By Representatives Newcomer, Fields, Young, Albers, Berceau, Grigsby, Hahn, Hines, Honadel, Jeskewitz, Kessler, Kramer, F. Lasee, Molepske, Mursau, Murtha, Musser, Nygren, A. Ott, Pocan, Pridemore, Richards, Sinicki, Stone, Townsend, Van Roy, Vruwink, Wood, Petersen, J. Ott and Gunderson; cosponsored by Senators Kreitlow, Breske, Darling, Erpenbach, Grothman, Hansen, Jauch, Kanavas, Lassa, Lehman, Plale, Schultz, Leibham, Carpenter, Taylor, Sullivan and Kedzie.

To committee on **State Affairs**.

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Pursuant to Wisconsin State Statute Section [14.017\(3\)\(a\)](#), the Standards Development Council will include membership from the chairperson of an Assembly committee whose subject matter is elementary and secondary education. Therefore, I designate Representative Brett Davis, Chair of the Committee on Education, to be the Assembly representative on the Standards Development Council.

Sincerely,  
**MIKE HUEBSCH**  
Assembly Speaker

February 19, 2007

## COMMITTEE REPORTS

The committee on **Elections and Constitutional Law** reports and recommends:

### Assembly Bill 27

Relating to: reporting of certain information concerning individual contributions received on campaign finance reports.

Without recommendation pursuant to s. [227.19\(6\)\(b\)](#) of the Wisconsin Statutes.

To committee on **Rules**.

**SHERYL ALBERS**  
Chairperson  
Committee on Elections and Constitutional Law

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Pursuant to Wisconsin State Statute Section [15.465\(2\)](#), the Rustic Roads Board will include membership from the chairperson of an Assembly committee having jurisdiction over transportation matters. Therefore, I designate Representative Jerry Petrowski, Chair of the Committee on Assembly Transportation, to be the Assembly representative on the Rustic Roads Board.

Sincerely,  
**MIKE HUEBSCH**  
Assembly Speaker

## SPEAKER'S APPOINTMENTS

February 19, 2007

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Pursuant to Wisconsin State Statute Section [235.02\(2\)](#), I have appointed Representative Al Ott to serve on the World Dairy Center Authority.

Sincerely,  
**MIKE HUEBSCH**  
Assembly Speaker

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-author to Assembly Bill 86.

Sincerely,  
**TERESE BERCEAU**  
State Representative  
76th Assembly District

## COMMUNICATIONS

February 21, 2007

February 21, 2007

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor to Assembly Bill 86.

Sincerely,  
*JOHN LEHMAN*  
State Senator  
21st Senate District

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## ADJOURNMENT

Representative Petersen moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, February 27.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

10:16 A.M.